

William H. Trousdale, Esq.
 Brian M. English, Esq.
**TOMPKINS, MCGUIRE, WACHENFELD
 & BARRY LLP**
 Four Gateway Center
 100 Mulberry Street
 Newark, New Jersey 07102
 Phone: 973-622-3000
 Fax: 973-623-7780

Timothy Rooney, Esq. (*pro hac vice*)
WINSTON & STRAWN LLP
 35 West Wacker Drive
 Chicago, Illinois 60601-9703
 Phone: 312-558-5600
 Fax: 312-558-5700

David S. Bloch, Esq. (*pro hac vice*)
 Patrick M. Ryan, Esq. (*pro hac vice*)
WINSTON & STRAWN LLP
 101 California Street
 San Francisco, California 94111
 Phone: 415-591-1000
 Fax: 415-591-1400

Attorneys for Defendants PMC Global, Inc., PMC, Inc., PMC Europe Investments, S.L., Denis
 S. Commette, and Gama Machinery USA, Inc.

Steven M. Kaplan
KAPLAN & LEVENSON, P.C.
 433 Hackensack Avenue, 2nd Floor
 Hackensack, NJ 07601
 Phone: 201-646-9400
 Fax: 201-646-9401

Attorneys for Garraf Maquinaria S.A.

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEW JERSEY**

GRACO INC., et al.,)	Case No. 08-CV-01304 (FLW) (DEA)
Plaintiffs,)	
v.)	STATEMENT OF FACT AND
PMC GLOBAL, INC., et al.,)	CONCLUSIONS OF LAW FOR
Defendants.)	DEFENDANTS AND
)	COUNTERCLAIMANTS' MOTION
DENIS S. COMMETTE, GAMA MACHINERY)	TO FILE DOCUMENTS UNDER
USA, INC., AND GARRAF MAQUINARIA S.A.,)	SEAL PURSUANT TO L. CIV. R. 5.3
Counterclaim)	
Plaintiffs,)	
v.)	
GRACO INC. and GRACO MINNESOTA INC.,)	
)	
Counterclaim)	
Defendants.)	

GAMA AND GARRAF'S STATEMENT OF FACTS AND CONCLUSIONS OF LAW

Defendants and Counterclaimants Denis S. Commette and Gama Machinery USA, Inc. (collectively, "Gama") and Garraf Maquinaria S.A. ("Garraf") submit these findings of facts and conclusions of law in connection with their motion for preliminary injunction against Counter-Claim Defendants Graco Inc. and Graco Minnesota Inc. (collectively, "Graco"), which are being filed simultaneously with the Court:

The Court finds that on or about November 12, 2008, the Stipulated Protective Order was entered in this litigation. Dkt. 68.

The Court further finds that materials in the following documents contain either documents and/or information garnered from the documents, which have been designated as "Confidential" or "Confidential—For Attorney's Eyes Only" by Graco in this case, pursuant to the Stipulated Protective Order:

(i) Unredacted version of Gama and Garraf's Brief in support of its motion for preliminary injunction against Graco, with redacted portions referring to information designated confidential by Graco;

(ii) Unredacted version of Declaration of David S. Bloch in support of Gama and Garraf's motion for preliminary injunction against Graco, with redacted portions referring to information designated confidential by Graco.

Accordingly, based on the Stipulated Protective Order and to preserve Graco's confidential information, the listed documents are permitted to be filed under seal.

Dated: June 11, 2009

Of Counsel:

Timothy Rooney (*pro hac vice*)
David S. Bloch (*pro hac vice*)
Patrick M. Ryan (*pro hac vice*)
WINSTON & STRAWN LLP

**TOMPKINS, MCGUIRE, WACHENFELD &
BARRY LLP**

/s/Brian M. English

William H. Trousdale, Esq.
Brian M. English, Esq.

Attorneys for Defendants and Counterclaim Plaintiffs Gama Machinery USA and Denis
Commette

KAPLAN & LEVENSON, P.C.

Steven M. Kaplan *SK*

Steven M. Kaplan

Attorneys for Defendant and Counterclaim Plaintiff Garraff Maquinaria S.A.